

1 BILL NO. S-90-09- 11

2  
3 SPECIAL ORDINANCE NO. S- 234-90

4 AN ORDINANCE approving the awarding of  
5 Reference #957 by the City of Fort  
6 Wayne, Indiana, by and through its  
7 Department of Purchasing and WAYNE PIPE  
8 AND SUPPLY, INC. for the Water  
9 Maintenance & Service Department.

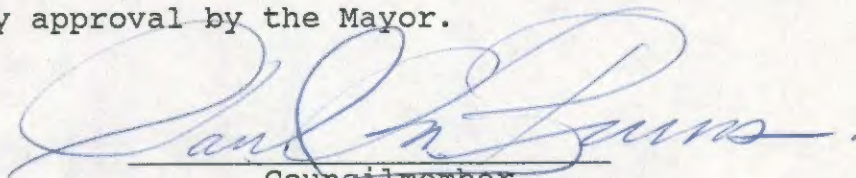
10 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
11 THE CITY OF FORT WAYNE, INDIANA;

12 SECTION 1. That Reference #957 between the City of  
13 Fort Wayne, by and through its Department of Purchasing and  
14 WAYNE PIPE AND SUPPLY, INC. for the Water Maintenance &  
15 Service Department, respectfully for:

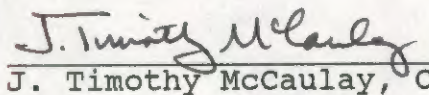
16 the purchase of copper pipe for the  
17 Water Maintenance & Service Department;

18 involving a total cost of Seventeen Thousand Three Hundred  
19 Seventy-Five and 46/100+/- Dollars (\$17,375.46+/-), all as  
20 more particularly set forth in said Reference #957 which is  
21 on file in the Office of the Department of Purchasing, and  
22 is by reference incorporated herein, made a part hereof, and  
23 is hereby in all things ratified, confirmed and approved.

24 SECTION 2. That this Ordinance shall be in full force  
25 and effect from and after its passage and any and all  
26 necessary approval by the Mayor.

27   
28 Councilmember

29 APPROVED AS TO FORM  
30 AND LEGALITY

31   
32 J. Timothy McCaulay, City Attorney



REF. NO.: 957  
DEPT.: W M & S  
DATE: 9/7/90  
ITEM/SERV.: COPPER PIPE

PURCHASING INFORMATION

ADVERTISED BID: YES  
DATES ADVERTISED: 7/27/90 & 8/3/90  
OPENING DATE: 8/16/90  
WRITTEN QUOTE:  
DUE DATE:  
VERBAL QUOTE:  
SINGLE SOURCE:

NO. OF VENDORS NOTIFIED: 10  
NO. OF VENDORS RECEIVING BID: 6  
NO. OF VENDORS RETURNING BID: 3  
NO. OF VENDORS DISQUALIFIED: 0  
NO. OF VENDORS NOT RESPONDING: 7  
DATE SENT TO DEPT FOR RECOMM.: 8/16/90  
DATE RECOMMENDATION REC'D IN PURCH: 9/4/90

COUNCIL INFORMATION  
DATE INFO SENT TO LAW DEPT.: 9/7/90  
INTRODUCTION DATE: 9/11/90  
DISCUSSION DATE: 9/18/90  
PASSAGE DATE: 9/25/90  
ORDINANCE NO.:

REFERENCE NO. 957  
WATER MAINTENANCE  
COPPER PIPE

SIZE	QTY UNIT	PERRYSBURG PIPE		TREATY COMPANY		WAYNE PIPE	
3/4 X 60-ROLLS	7620 FT	\$1.14	\$8,686.80	\$1.041	\$7,932.42	\$1.017	\$7,749.54
3/4 X 100-ROLLS	2300 FT	\$1.14	\$2,622.00	\$1.041	\$2,394.30	\$1.017	\$2,339.10
1 X 60-ROLLS	2400 FT	\$1.47	\$3,528.00	\$1.330	\$3,192.00	\$1.297	\$3,112.80
1 X 100-ROLLS	1600 FT	\$1.47	\$2,352.00	\$1.330	\$2,128.00	\$1.297	\$2,075.20
1 1/2 X 20-LENGTHS	340 FT	\$2.42	\$822.80	\$2.010	\$683.40	\$2.447	\$831.98
2 X 20-LENGTHS	340 FT	\$4.14	\$1,407.60	\$3.045	\$1,035.30	\$3.726	\$1,266.84
			\$19,419.20		\$17,365.42		\$17,375.46



FRONT PAGE/INVITATION TO BID  
DEPARTMENT OF PURCHASING  
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA  
ONE MAIN STREET - ROOM 350  
PHONE 219-427-1101

BID OPENING DATE 8-16-90 @ 11:00 AM BID REFERENCE # 957

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR TYPE K-SOFT, COPPER PIPE IN A  
NUMBER OF LENGTHS & SIZES PER SPECIFICATIONS

AND REQUESTED BY WATER MAINTENANCE & SERVICE

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A \_\_\_\_\_ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: 0 %  
IF PAID WITHIN NET 30 DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME WAYNE PIPE & SUPPLY, INC.

STREET ADDRESS 1815 S. ANTHONY BLVD.

CITY FORT WAYNE PHONE # 219-423-9577

BY R. C. Schmieman  
REPRESENTATIVE SIGNATURE



# BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)  
(Please type or print)

Date: AUGUST 15, 1990

1. Governmental Unit: CITY OF FORT WAYNE

2. County: ALLEN

3. Bidder (Firm): WAYNE PIPE & SUPPLY, INC.  
Address: 1815 S. ANTHONY BLVD.  
City/State: FORT WAYNE, IN 46803

4. Telephone Number: 219-423-9577

5. Agent of Bidder (if applicable): R.C. SCHMIEMAN

Pursuant to notices given, the undersigned offers bid(s) to CIT OF FORT WAYNE (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

R.C. Schmieman  
Signature of Bidder or Agent

## BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

## NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
 ) SS:  
ALLEN COUNTY )

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

WAYNE PIPE & SUPPLY, INC.  
Bidder (Firm)

R.C. Schmieman  
Signature of Bidder or Agent

Subscribed and sworn to before me this 15th day of AUGUST, 1990.

My Commission Expires: 11/19/93

County of Residence: ALLEN

Janice Kay Bell  
Notary Public

JANICE KAY BELL  
Notary Public Printed Name

## ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered \_\_\_\_\_ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY OF FORT WAYNE  
COPPER PIPE  
REQUIREMENTS

THE CITY OF FORT WAYNE, INDIANA, IS REQUESTING BIDS FOR THE PURCHASE OF COPPER PIPE FOR THE WATER MAINTENANCE & SERVICE DEPARTMENT.

ALL COPPER WATER SERVICE PIPE SHALL BE TYPE "K" COPPER WATER TUBE, MADE IN ACCORDANCE WITH THE LATEST REVISIONS OF ASTM SPECIFICATIONS B88 OR FEDERAL SPECIFICATIONS WW-T-799, AND SHALL HAVE THE TYPE DESIGNATION AND THE MANUFACTURERS NAME AND/OR SYMBOL STAMPED INTO THE OUTER SURFACE.

PRICES BID MUST BE EXACT AND HELD FIRM FOR 90 DAYS AFTER OPEN DATE OF BID. THERE SHALL BE NO ADDITIONAL CHARGES FOR DELIVERY, HANDLING OR ANY OTHER MISC FEES.

TERM OF AGREEMENT: SEPTEMBER 1, 1990 THRU DECEMBER 31, 1990

FOB: FORT WAYNE

PLEASE PRICE THE FOLLOWING COPPER PIPE-TYPE K SOFT

SIZE	QTY IN FT	UNIT COST/	TOTAL
3/4" X 60' (ROLLS)	7620	<u>1.017</u> /	<u>7,749.54</u>
3/4" X 100' (ROLLS)	2300	<u>1.017</u> /	<u>2,339.10</u>
1" X 60' (ROLLS)	2400	<u>1.297</u> /	<u>3,112.80</u>
1" X 100' (ROLLS)	1600	<u>1.297</u> /	<u>2,075.20</u>
1 1/2" X 20' (LENGTHS)	340	<u>2.447</u> /	<u>831.98</u>
2" X 20' (LENGTHS)	340	<u>3.726</u> /	<u>1,266.84</u>
		TOTAL:	<u>17,375.46</u>



**Power of Attorney**  
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR., Vice-President, and C. W. ROBBINS, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Duane E. Lupke, Donald L. Coffey, Edward B. Rice, Walter E. Boose, Virginia T. Axson, Gerald Clancy and Judith A. Snyder, all of Fort Wayne, Indiana, EACH, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Duane E. Lupke, et al, dated, April 2, 1986.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 1st day of October, A.D. 1987.

ATTEST:



FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Assistant Secretary

By

Vice-President

STATE OF MARYLAND  
CITY OF BALTIMORE

ss:

On this 1st day of October, A.D. 1987, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.



Notary Public Commission Expires July 1, 1990

**CERTIFICATE**

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 16th day of August, 1990.

044-2987

Christopher T. Maddox  
Assistant Secretary



Read the first time in full and on motion by Burns, seconded by Bradbury, and duly adopted, read the second time by title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 9-11-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Edmonds, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY				<u>✓</u>
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 9-25-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. S-234-90 on the 25th day of September, 1990,

ATTEST  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Charles S. Reed  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1990 at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of September, 1990, at the hour of 2:30 o'clock P. M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR



DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 957 for copper pipe for Water Maintenance & Service. The cost reflects the most responsive of three (3) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

Treaty Company was low on some of the copper pipe, but had a clause that prices would be subject to change at the 1st of October.

EFFECT OF PASSAGE: For installation of new services and repair/replace of existing services.

*J-90-09-11*

EFFECT OF NON-PASSAGE: We would not be able to install new services or repair existing services.

MONIES INVOLVED:	Wayne Pipe	\$17,375.46 +/-
PRICE AGREEMENT:	Yes	
PURCHASE ORDER:		
SOURCE OF FUNDING:	Water Maint	513-523-W154-4299
PRIOR APPROVAL: (IF APPLICABLE)	DATE:	



BILL NO. S-90-09-11

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN  
MARK E. GIAQUINTA, VICE CHAIRMAN  
HENRY, LONG, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding  
of Reference #957 by the City of Fort Wayne, Indiana, by and  
through its Department of Purchasing and WAYNE PIPE AND  
SUPPLY, INC. for the Water Maintenance & Service Department  
\_\_\_\_\_  
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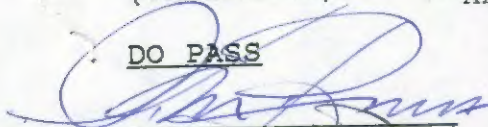
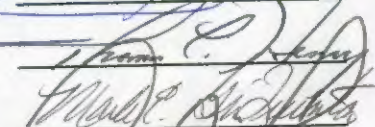
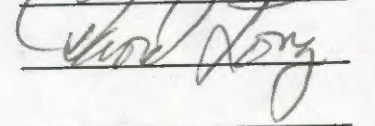
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~) \_\_\_\_\_

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: 9-25-90.

Sandra E. Kennedy  
City Clerk